Gmail Go Remote <goremoteworld@gmail.com>

RE: Mediation towards settlement - Holgate | Dreyer

1 message

Gadaffi Nkosi <Gadaffin@cattonw.co.za> Tue, Oct 6, 2020 at 4:56 PM
To: Go Remote <goremoteworld@gmail.com>

Dear Ms. Dreyer,

We are as instructed as follows:

1. The application before the Children's Court should be treated separately from our client's variation application before the Regional Court. As such, our client's deliberations on settlement are only in respect of the variation application. The Children's Court will deal with the application before it tomorrow, Wednesday, 7 October 2020. It is therefore not necessary that we deal with point "2" of your mail dated 21 September 2020.

2. In respect of our client's variation application, we note the following on a without prejudice basis:

   a. regarding your point "1", our client's legal basis for the variation application is fraud. For purposes of settlement discussions, our client does not necessarily seek that the fraud be attributed to you, however, this would be in circumstances where you confirm that you are in agreement that the divorce order should be varied such that it incorporates the consent paper and that the fraud should be attributable to your erstwhile attorney, Mr Hartzenberg. Our client's notice of motion allows for this;

   b. regarding your point "3", there would be no need to "shift back" maintenance if both parties are in agreement that the divorce order should be varied, such that the consent paper is incorporated as an order of court;

   c. regarding your point "4", our client is not amenable to paying you the R22,000 which you seek. Furthermore, our client has incurred substantial legal costs in order to institute and progress the variation application and accordingly seeks relief from the Court that both you and your erstwhile attorney be held jointly and severally liable for his legal costs. For purposes of settlement, please revert with your proposal dealing with this point; in the alternative, please confirm whether you are in agreement that our client should seek a cost order against your erstwhile attorney, Mr Hartzenberg.

3. In the event that we reach an agreement, we confirm that you will not be required to file Heads

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of Argument in the matter and we shall advise the magistrate that the matter has now become settled. The only point before the court will therefore be that relating to our client's prayer for costs, which we shall put forward to the court in consideration of your response to paragraph C above

We look forward to hearing from you.

Regards

Gadaffi Nkosi

CATTO | NEETHLING | WIID
A FAMILY LAW PRACTICE

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From: Go Remote [mailto:goremoteworld@gmail.com]
Sent: 06 October 2020 10:54 AM
To: Gadaffi Nkosi <Gadaffin@cattonw.co.za>
Subject: Re: Mediation towards settlement - Holgate | Dreyer

Dear Gadaffi,

Tomorrow is not suitable for me and I would prefer to operate, as per our initial agreement, via email, please. I feel that my health is more important than your client's lack of willingness to play ethically or fair and am no longer going to pander to his ongoing drama, dishonesty and chaos. I'm done.

It is a simple yes or no and I will await your reply after consulting with your client and consider the proposal null and void at 5pm as per my previous email to save your client further costs. He has had

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ample time to consider it and I view any further unnecessary "contact" as manipulative on both his and Neethling WIID's part after the above.

Not a word for almost two and a half weeks is a waste of my time (which is also billable) and my resources as I now write to follow up unnecessarily.

I have already sent requested hours to one of the treatment facilities that I am training with and will need to use remaining time to write my own HoA to enter for court next week.

Please let me know the final decision by 5pm today. I am extremely pressed for time as well as financially right now - as previously discussed repeatedly.

With thanks,

Nicole

24 Woodgate Road
Plumstead
7800
19 October 2020

Email: goremoteworld@gmail.com

Mr Anton Neethling

Per email: anton@cattonw.co.za

Dear Mr Neethling,

MARK HOLGATE / NICOLE DREYER: SETTLEMENT

1) It would have been in Jed's best interests for his father not to have forced him to go through two unnecessary forensic sexual abuse assessments and to remove one of Jed's "best friends" from his life due to jealousy and insecurity.

   It would have been in Jed's best interests for your client to have sat down with me in mediation 5 odd years ago to sort out his continual breaking of our agreements in place and regarding new decisions to be made concerning Jed like a mature adult. The same could be said of this bogus allegation of fraud, now, as he refused prior to making this, now 4th false allegation, mediation with regards to this dispute and is currently doing so again with regards to finalizing the parenting plan or future arrangements for Jed.

   I note, herewith, that you client continues to maintain that I am, somehow, being unreasonable in this process which is further misdirection on his part and I note, herewith, in full that I have been solely concerned with Jed's best interests throughout this travesty, while your client, clearly, has not.

I signed the parenting plan in 28 August 2020 due to circumstances explained in an email, that Mr Gadaffi was copied in on, to BADISA regarding the chain of events that lead to my signing of the new parenting plan and my reasoning behind it and also why I signed it even though I was never in agreeement with it – Jed's welfare being included and my most important consideration in my struggle to be heard in court.

It was BADISA who reported to Children's Court that I was not happy with the parenting plan, the reasons for which Mr Gadaffi, my legal representation and all those who attended the mediation for said plan were party to in full.

Since the presiding officer at Children's Court now wishes to hear my reasons from me in person, further putting my health at risk with yet another unnecessary court appearance when all parties

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present were amply able to explain why I was not in full agreement, I will now have to appear before the court to explain this in person and do not foresee me agreeing to anything now changing this matter as I have presented a full affidavit of the events of this last year and a half and BADISA's mishandling of this case to the Honourable Court already.

I thus, understand, that your client's offer of settlement is revoked since I am unable to settle the matter in Children's Court in writing herewith. I sent, what I believe, was a more than fair settlement arrangment considering your client's past actions and current claims but I see that this has not, again, been taken into consideration at all by your client.

I note, again, that the court made the Divorce Order the legal agreement on our second return to court and this is not fraudulent on my part as I openly disclosed the nature of the confusion in court and documents submitted therewith and your client chose to ignore the monies owing to me for Jed's medical aid as the consent paper was not made a legal document.

Since your client has shown a clear lack of honesty and ethics, I made it clear to him some years ago that I would not be in agreement with anything that had not been written, signed and made legal by both of us. This due to him going so far as to fabricate agreements and then tell Jed that I was breaking them.

I am sure that you, in your experience, have a full understanding of my reasoning and what is, in fact, transpiring here.

With regards to my creative writing and work in the arena of recovery for abuse, trauma and addiction, which I am busy studying and moving into:

I have requested from your client that he furnish me with any offending links in writing in an email with BADISA and Mr Gadaffi copied in and the only thing your client mentioned was a poem that I wrote to raise awareness on domestic violence. Your client has not sent anything else regarding this even though I emailed your client three or more times to request said links as I was concerned about remedying this, if this was so, when your client stated that there was information regarding Jed's privacy online. If your client could furnish the links I will take them down if I deem them to be such as he claims.

Furthermore, I have requested that your client enter into a process of truth and reconciliation, repeatedly, so that we can all move on from this in clarity and honesty as a family. I would like to offer this opportunity to him once again – with Jed's best interests at heart as Jed, more than any of us, needs understanding, truth and closure that none of this has in any way been of his own doing or fault as soon as possbile. Without this, I do not see how your client believes we, as a family, can move on from this? Are we to just pretend it never happened and gaslight Jed into playing out the lie for the rest of his life? Is that in Jed's best interests?

I can not quite belive that this is how justice works. Still. And I have a child who told me in an accusatory tone recently that I told him that the truth always comes out. Be very clear, Mr Neethling, that I only have Jed's best interests at heart. This is his future that is being dictated in full

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– right now – with your firm aiding and abetting a father who has lied repeatedly and is allowing a child to both live the lie and believe that it is his fault.

This is not acceptable to me as Jed's mother on any level. Jed has been only brave, resilient and honest throughout this horrific situation created entirely by your client. Let me make clear that I am moving into the professional arena of trauma, abuse and addiction and this requires honesty, self awareness and the courage to do the right thing. Not the easy thing. I walk this path FOR my children and to impart valuable lessons that I learned somewhat too late apparently. Everything I do is for my children.

If I could respectfully ask you and your firm, again, to use my legal name which I changed back to Dreyer some time ago moving forward.

Yours Sincerely,

NDreyer

Nicole Dreyer

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Re: Your email - Family Advocate

1 message

Go Remote <goremoteworld@gmail.com> Fri, Oct 9, 2020 at 9:52 AM
To: Gadaffi Nkosi <Gadaffin@cattonw.co.za>

Dear Mr Nkosi,

Received with thanks. I assume that your offices included the same adherence to protocol for your case of fraud against Mr Hartzenberg. Kindly confirm.

Since I am still unable to hire legal representation and am unable to appear in court due to health and professional reasons moving forward, I would suggest that we ask for a pre-trial conference so that we can settle this matter more efficiently and less expensively and where we can adequately practice social distancing.

In my understanding this could reduce the court appearance to one appearance for judgment only and would enable us to avoid further postponement.

It has also come to my attention and opinion that the presiding officer has not been given adequate time to be properly prepared to address this case due to the nature of its complicated history and direct opposition of facts presented by opposing parties.

Due to the fact that your offices declined to acknowledge my further answering affidavit, sent electronically as per our agreement, I would prefer that we revert to physical delivery of further notices and servings, please.

I see that your address for delivery of relevant notices and servings is outside of the allowed 15km radius for Civil Court proceedings and note that delivery address of such is incorrect, herewith.

Would you be amenable to collecting further notices and servings from the defense / myself at my place of delivery of such to rectify this, please? I would require this to be done by an agreed upon deadline due to new operating hours of the court with regards to COVID.

With thanks,

Nicole Dreyer

On Fri, 09 Oct 2020 at 09:11, Gadaffi Nkosi <Gadaffin@cattonw.co.za> wrote:

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Dear Ms. Dreyer,

Your mail below refers.

We have addressed your query below in previous correspondence.

of delivery of the pleadings to the Family